

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	<u>UNDER SEAL</u>
)	
v.)	
)	
HENRY KOPIA KECULAH, JR.)	Case No. 1:24-MJ-328
)	
<i>Defendant.</i>)	
)	

AFFIDAVIT IN SUPPORT OF A
CRIMINAL COMPLAINT AND AN ARREST WARRANT

I, Matthew S. Nicholson, being first duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), and I have been so employed since May 2017. I am currently assigned to a squad that investigates violent crimes out of the FBI's Violent Crimes Task Force of the Washington, D.C. Field Office. Prior to that, I worked counterterrorism matters in the New York Field Office. As a member of the Violent Crimes Task Force, I investigate federal violations concerning violent crime, bank robberies, carjackings, and threats of violence. I am a law enforcement officer who is engaged in enforcing criminal laws. As such, I am authorized to investigate violations of laws of the United States and to execute arrest warrants issued under the authority of the United States.

2. The facts in this Affidavit come from my personal observations, my training and experience, and information obtained from other agents, witnesses, and agencies. This Affidavit is intended to show merely that there is sufficient probable cause for the requested criminal complaint and arrest warrant and does not set forth all my knowledge about this matter.

3. I submit this Affidavit in support of a criminal complaint and arrest warrant charging HENRY KOPIA KECULAH, JR. (“KECULAH”) with one count each of 18 U.S.C. §§ 115(a)(1)(B) (influencing a federal official by threat), 2261A(2) (cyberstalking), and 875(c) (interstate communications with intent to injure). Specifically, while in the Eastern District of Virginia, (1) on or about July 25, 2024, KECULAH threatened a deputy United States Marshal (“Victim-2”) with the intent to impede, intimidate, or interfere with Victim-2 while he was engaged in the performance of his official duties, or with intent to retaliate against him on account of the performance of his official duties; (2) between on or about July 26, 2024 and August 13, 2024, KECULAH did, with the intent to kill, injure, harass, or intimidate “Victim-1,” use a facility of interstate or foreign commerce to engage in a course of conduct that placed her in reasonable fear of death or serious bodily injury to herself, an immediate family member, or a spouse or intimate partner; and (3) on or about July 28, 2024, KECULAH transmitted in interstate commerce a communication containing a threat to injure “Victim-3,” the governor of a state.

STATUTORY AUTHORITY AND DEFINITIONS

4. 18 U.S.C. § 115(a)(1)(B) prohibits threatening to assault, kidnap, or murder a United States official, United States judge, or Federal law enforcement officer, with intent to impede, intimidate, or interfere with such official, judge, or law enforcement officer while engaged in the performance of official duties, or with intent to retaliate against such official, judge, or law enforcement officer on account of the performance of official duties. A “federal law enforcement officer” is defined in 18 U.S.C. § 115(c)(1) as “any officer, agent, or employee of the United States authorized by law or by a Government agency to engage in or supervise the

prevention, detection, investigation, or prosecution of any violation of Federal criminal law.” A deputy United States Marshal is a federal law enforcement officer.

5. 18 U.S.C. § 2261A(2) prohibits—with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person—using the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that places that person in reasonable fear of the death of or serious bodily injury to that person, an immediate family member, or a spouse or intimate partner, or causes, attempts to cause, or would be reasonably expected to cause substantial emotion distress to that person, an immediate family member, or a spouse or intimate partner. A “course of conduct” is defined in 18 U.S.C. § 2266(2) as “a pattern of conduct composed of 2 or more acts, evidencing a continuity of purpose.”

6. 18 U.S.C. § 875(c) prohibits transmitting in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another.

STATEMENT OF PROBABLE CAUSE

7. “Victim-1” is an attorney, who works at a law firm in Houston, Texas. On or about July 26, 2024, Victim-1 contacted the Houston Police Department and later the FBI to provide the following details.

8. Victim-1 informed law enforcement that in 2023, KECULAH made an insurance claim that was later denied. KECULAH then filed a lawsuit in federal court in Texas, protesting the denial of his insurance claim. Victim-1 represented the insurance company in the lawsuit,

which the insurance company won. The verdict was upheld and KECULAH's insurance claim remained denied.

9. During the court proceedings, a federal judge in the Houston, Texas area issued a bench warrant for KECULAH.

Influencing a Federal Official by Threat: "Victim-2" on July 25, 2024

10. On or about June 10, 2024, "Victim-2," a deputy United States Marshal, and his partner went to a house in the Houston, Texas area in search of KECULAH. While attempting to serve the bench warrant, Victim-2 observed KECULAH fleeing the residence. Victim-2 left a notice of the attempt to serve the warrant, along with Victim-2's business card.

11. On or about June 24, 2024, Victim-2 made a second attempt to serve the bench warrant. KECULAH was not at the location, and Victim-2 again left Victim-2's contact information.

12. On or about July 25, 2024, KECULAH used a Gmail account, keculah@gmail.com, to send an email to approximately 25 individuals, including Victim-1 and Victim-2. The email stated: "Bitch Ass [Victim-2] slide back around to [address of Houston-area home] with another fake bench warrant from [the federal judge], My niggas will light your ass up like a Christmas tree! Bitch!, I want all [smoke emoji]!!!, Aint no body scared of fraud King [the federal judge]." Included in the email was a picture of the notice left by Victim-2 while attempting to serve the bench warrant. This keculah@gmail.com account has been attributed to KECULAH based upon, among other things, legal process received from Meta and open-source research.

Cyberstalking: “Victim-1” Between July 26, 2024 and August 13, 2024

13. On or about July 26, 2024, Victim-1 was made aware that KECULAH had contacted Victim-1’s law firm by phone. The phone call was recorded by the receptionist. Victim-1 listened to the recording and recognized the caller’s voice to be that of KECULAH. Victim-1 provided law enforcement with a copy of the recording. Although the caller ID showed that the call was from a private number, the caller identified himself as “Henry Kopia Keculah Jr.” during the call.

14. On the call, KECULAH stated that Victim-1 would “need security every day when [Victim-1] leaves after work, because if [the federal judge] signs one more fraudulent order, we are gonna kill [Victim-1].” KECULAH then stated “And please let [Victim-1] know, that Henry Keculah Jr. sends this message to you all that after we kill [Victim-1], we are going to kill the other partners at [Victim-1’s] office and this is a serious message.” KECULAH told the receptionist to put everyone on notice that “they are gonna kill them, that I don’t play those games, so people are gonna start dying.” KECULAH then stated that Victim-1 is going to die and that they were going to send people to her house to kill her if the federal judge signed one more fraudulent order. KECULAH then told the receptionist that they will be going to Victim-1’s office next and will start killing some of the people in the workplace if another order is signed. KECULAH stated that when he said people are going to die, people are going to die. When the receptionist asked KECULAH if he wanted to kill people, KECULAH responded saying “We’re gonna kill them, because they tried to kill me. They couldn’t kill me, so we’re gonna come and kill ya’ll.” KECULAH stated people were going to die and he was not playing. He added that he already told them that people were going to die and there will be body bags, because he doesn’t play. KECULAH stated that “Since they couldn’t kill me last time when they

came to my house, I'm gonna send people to kill them." KECULAH then gave Victim-1's home address. KECULAH concluded by telling the receptionist to let the partners at the law firm know that they were going to start dying.

15. Between at least on or about July 26, 2024 and on or about August 13, 2024, KECULAH utilized email and facsimile machine communications to continually harass Victim-1. There have been over twenty communications between KECULAH and Victim-1, including statements to Victim-1 that caused Victim-1 grave emotional distress. As a result of KECULAH's statements, Victim-1 was forced to take measure to safeguard her family against the perceived physical threats, to include altering her work schedule and working remotely because of fear for her safety. Because of KECULAH's statements, Victim-1 fears not only for her own life but for the lives of her family members and coworkers.

16. KECULAH has made threats against members of other law firms. In a video posted on YouTube by handle "@keculah," KECULAH threatened another attorney who worked with Victim-1 for the defense in KECULAH's civil suit, "Victim-4," and an immediate family member of Victim-4, "Victim-5." KECULAH stated, "We know where [Victim-5] work at. We know where [Victim-5] live at, so, I got my people on the ground already. Just let [Victim-5] know, when my people get her in possession, we gonna chop her hands off, and she gonna be an amputee for the rest of her life with no hands, and that's what we do to people that steal from us. That's what I do to people that steal from me." KECULAH concluded the video and stated "Happy July 26."

Interstate Threats: "Victim-3" on July 28, 2024

17. Additionally, on or about July 28, 2024, a state governor, "Victim-3," made a post on the social media platform X, formerly known as Twitter, discussing deployment of his state's

assets to fight wildfires in California. In a reply to the post, an X account with the handle “@Henrykeculahjr” posted, “You and I in the same room, that is what you call a successful assassination attempt. (Emoji) I don’t need three attempts, I just need one! Up your security!” As a result, KECULAH’s X account was suspended for several days and Victim-3’s security detail was alerted.

18. Also, on or about July 28, 2024, KECULAH sent an email from Keculah@gmail.com to over twenty recipients. Within the email, KECULAH stated, “By Friday, if you all don’t intervene, I will take whatever necessary actions to protect myself. That even includes killing [Victim-3], because I am under duress.”

KECULAH Has Been Located in the Eastern District of Virginia Since July 18, 2024

19. Based on cell-phone analysis of historical records, KECULAH has been continually present in the Eastern District of Virginia since on or about July 18, 2024.

20. During the FBI investigation, special agents spoke on the phone with KECULAH. In one conversation between FBI agents in Houston and KECULAH, KECULAH stated that the number he was using ended in x4294 (the “4294 number”). KECULAH provided the 4294 number as a means for contacting him in the future. On or about August 2, 2024, KECULAH admitted to the FBI special agent who called him that he had in fact been making threats.

21. Based on KECULAH’s use of the 4294 number, and his admission that the 4294 number belongs to him, the FBI sought legal process regarding the 4294 number. Historical cell-phone data for the 4294 number indicates that since at least on or about July 18, 2024, KECULAH has been continually present in Woodbridge, in the Eastern District of Virginia. As recently as on or about August 6, 2024, KECULAH continued to utilize the 4294 number as his means of communication with the FBI.

CONCLUSION

22. Based on the foregoing, I submit that there is probable cause to believe that, while located in the Eastern District of Virginia, Henry Kopia Keculah, Jr. (whose photograph appears below) did commit a violation of 18 U.S.C. § 115(a)(1)(B) (influencing a federal official by threat) on or about July 25, 2024; a violation of 18 U.S.C. § 2261A(2) (cyberstalking) between on or about July 26, 2024 and August 13, 2024; and a violation of 18 U.S.C. § 875(c) (interstate threats) on or about July 28, 2024.



23. I respectfully request that a criminal complaint and arrest warrant be issued for KECULAH.

Respectfully submitted,

Matthew Nicholson

Matthew S. Nicholson
Special Agent
Federal Bureau of Investigation

Respectfully submitted and attested to in accordance with the requirements of Fed. R. Crim. P. 4.1 via telephone on August 15, 2024.

  Digitally signed by Ivan Davis
Date: 2024.08.15 14:26:14 -04'00'

The Honorable Ivan D. Davis
United States Magistrate Judge